

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL CUM
LABOUR COURT, DELHI-1**

D-1/53/2024

**M/s Pitambras Transport Service Vs. RPFC-II, RO, Delhi
(East).**

Present: Sh. Sachin Aggarwal, ld. counsel for the
Appellant.
Sh. Narender Kumar, ld. Counsel for the
Respondent.

1. The Appellant had filed the present appeal challenging the orders dated May 30, 2024 passed by the Respondent under section 7-Q and section 14B of the EPF & MP Act, 1952 (hereinafter referred as 'the Act') whereby the amount of Rs.06,78,321/- as interest-liability of the appellant and Rs.14,13,251/- had been assessed as damages payable by the appellant under the Act. The office had reported the delay in filing the appeal for which the appellant had filed the application for condonation of delay in filing of the appeal.
2. The respondent has filed a written reply strongly opposing the said application. Respondent has prayed that the application for condonation of delay filed by the appellant should be dismissed.
3. I have heard the ld. counsels for the parties.
4. Ld. counsel for the appellant has argued that the impugned orders cover letter dated 30.05.2024 was sent to the appellant by registered post but was wrongly dropped in the drop box of the neighbour of the appellant. Ld. counsel for the appellant further argued that the appellant could not collect the said envelope immediately because he was out of city due to some official work. Ld. counsel for the appellant

**M/s Pitambras Transport Service Vs. RPFC-II, RO,
Delhi (East).**

pleaded that the appellant came to know about the impugned order only when the neighbour of the appellant handed over the said envelope to him. Ld. counsel for the appellant further pleaded that some time was spent in collecting the necessary documents and filing the present appeal. Ld. counsel for the appellant has prayed that the delay of ninety days in filing of the present appeal was not intentional and should be condoned by the tribunal by allowing the application for condonation of delay.

5. Ld. counsel for the respondent has strongly contested the above said application of condonation of delay in filing of the appeal. Ld. counsel for the respondent has argued that the present appeal was filed against the impugned orders passed under section 7-Q and section 14B of the Act. Ld. counsel for the respondent has further argued that the present appeal of the appellant was not maintainable under section 7-I of the Act. Ld. counsel for the respondent has prayed that the application for condonation of delay in filing of appeal should be dismissed.
6. Rule 7(2) of the Tribunal (Procedure) Rules, 1997 specifically provides the limitation period of sixty days from the date of issue of the impugned order for filing of the requisite appeal under section 7-I of the Act. However, the proviso to Rule 7(2) of the Tribunal (Procedure) Rules, 1997 specifically empowers this tribunal to condone the further period of delay to the extent of sixty more days for sufficient cause. Accordingly, as per the above said provision, this tribunal has the power to condone the delay in filing of appeal up to a maximum of one hundred and twenty days from the date of the impugned orders.

**M/s Pitambras Transport Service Vs. RPFC-II, RO,
Delhi (East).**

7. As reported by the office, the present appeal was filed by the appellant after a period of ninety-two days from the date of passing of the impugned orders.
8. The appellant has duly explained that the cover containing the impugned order was wrongly delivered in the drop box of its neighbour and the appellant came to know about the impugned orders only when the said envelope was handed over to the appellant by the neighbour. The appellant was not going to gain anything by filing the present appeal at a belated stage.
9. In the given facts and circumstances explained by the appellant the delay in filing of the present appeal by the appellant is hereby condoned. The application of the appellant stands disposed off accordingly.
10. Adjourned to 13.03.2026 for filing of reply to the stay application as well as to the main appeal by the respondent. In the meantime, the respondent shall not take any coercive steps to recover the amounts under the impugned orders till the next date of hearing.

Sd/-
(Ajay Kumar Jain)
Presiding Officer
CGIT-cum-Labour Court, Delhi-1
19.01.2026